

Chapter 35

PRISONERS AND PRISON FARM*

Sec. 35-1. Definitions.

The following words, terms and phrases, when used in the following sections, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Division. The word "division" shall mean the municipal prison farm division of the police department.

(Ord. No. 87-747, § 1, 5-13-87)

Sec. 35-2. Division of municipal prison farm.

There is hereby created a (nonclassified civilian) division of the police department to be known as the municipal prison farm division.

(Code 1968, § 35-1; Ord. No. 87-747, § 2, 5-13-87)

Sec. 35-3. Prison farm records.

(a) The division shall keep and maintain at all times a permanent and accurate record as to each prisoner delivered into the custody of such division. Such record shall reflect but shall not be limited to, the following information:

- (1) The date of commitment and fine.
- (2) The date and hour of delivery of the prisoner to such division.
- (3) The nature, description and quantity of personal property of such prisoner.
- (4) The daily work assignment of such prisoner.
- (5) A record of the credit against the fine and sentence of such prisoner which such prisoner has earned or served.
- (6) Such other personal and particular information as may be necessary or pertinent.

Such records shall be kept by, or under the direction of the division and shall be public records, available and open to the inspection of any interested person at all reasonable times.

(b) In addition to the records provided for in subsection (a), the division shall keep a current and active daily roll or record upon which shall appear the names of all prisoners in the custody of the department and which record shall show the time served, total credits and release date as to each prisoner. When any prisoner is released from the custody of the division for any reason, a permanent record shall be made of the date, hour and circumstances of such release, and a copy of such record shall be delivered forthwith to the chief of police.

(Code 1968, § 35-2; Ord. No. 87-747, § 3, 5-13-87)

Sec. 35-4. Unauthorized conversations with prisoners.

It shall be unlawful for any person on the outside of the municipal prison farm to hold any conversation with any of the inmates therein confined, without first obtaining permission from the jailer.

(Code 1968, § 35-5)

Sec. 35-5. Working of prisoners generally.

(a) Any person who has been convicted in the municipal court for the violation of any law of the state or any law or ordinance of the city, and has been committed to jail in default of the payment of the fine adjudged against him, may elect to labor in the city workhouse, on the city prison farm, on the public streets, on a city rock pile or on any public work or improvement in the city that may now or hereafter be authorized by the charter, a sufficient number of days to liquidate such fine; provided, in no event shall any prisoner who is physically unable to labor, as evidenced by a certificate from the city health officer, be permitted to labor under the provisions on this section.

(b) Any prisoner who is permitted to labor shall be worked under the direction of the superintendent.

*Charter reference—Prison farms, jails, etc., authorized, Art. II, § 11.

Cross reference—Courts, Ch. 16.

Supp. No. 9

(c) No prisoner shall be permitted to work more than eight (8) full hours during one day at any labor named in this section.

(d) Any prisoner permitted to labor under this section shall not be allowed to come in conflict with the employed laborers of the city, and when such persons are permitted to labor on the streets or other public works of the city, the person who has supervision of them shall first ask the city official having charge of the streets or other public works to designate the place where such prisoner shall be put to labor; provided, that should such official refuse to designate such place, then the person having supervision, or the mayor, shall put him at labor on such street or such public work as he may deem best and proper for the best interest of the public.

(Code 1968, § 35-6)

Sec. 35-6. Credit against fines—Generally.

Each prisoner committed to the city jail or to the municipal prison farm for nonpayment of the fine arising out of his conviction of a misdemeanor in the municipal court shall receive a credit against such fine of fifteen dollars (\$15.00) for each day or fraction of a day that he has served.

(Code 1968, § 35-8; Ord. No. 81-1103, § 1, 6-9-81)

Sec. 35-7. Same—Good conduct credit.

In order to encourage prison farm discipline, a distinction may be made in the credit allowed to prisoners so as to extend to all such as are orderly, industrious and obedient, comforts and privileges according to their desserts. The reward to be bestowed on prisoners for good conduct shall consist of such relaxation of strict prison farm rules, and extension of social privileges as may be granted by the superintendent for good conduct, industry and obedience; provided, however, that such additional credit shall not exceed in time more than one-half (½) day credit on his fine for each day's work. Should any prisoner be guilty of misconduct in violation of any established prison farm rule (including escape or attempt to escape), any part of all of the good conduct credit which shall have accrued in favor of the prisoner to the date of such misconduct may be forfeited and taken

away by the division. The division shall keep or cause to be kept a conduct record in card or ledger form and a calendar card on each inmate showing all forfeitures of good conduct credit and the reason therefor.

(Code 1968, § 35-9; Ord. No. 87-747, § 4, 5-13-87)

Sec. 35-8. Release of persons committed for failure to pay fine.

Upon the liquidation of the fines against any defendant under commitment by the municipal courts, whether by money payment or by daily credits to which he may be entitled under this chapter or by a combination of both, or upon receipt of a written certificate of the health officer directing immediate release, the chief of police (in case the defendant is housed in the jail) or the division (in case the defendant is housed in the prison farm) shall cause the defendant to be released from custody.

(Code 1968, § 35-10; Ord. No. 87-747, § 5, 5-13-87)